

IN RE: PETITION FOR ZONING VARIANCE
S/S Golden Ring Road, 50' W of
the R/W of Akron Road
(Lot 56, Golden Ring Road)
14th Election District
6th Councilmanic District
Joseph Vachino, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a lot width of 50 feet in lieu of the required 55 feet for a proposed dwelling in accordance with Petitioner's Exhibit 1.

The Petitioners, by Charles and Martina Jones, Contract Purchasers, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as Lot 56 of the Kenridge Development, is located on Golden Road, consists of .15 acres zoned B.R. 5.5 and is currently vacant. Petitioners propose constructing a single family dwelling; however, due to the width of the lot, the proposed development which will not meet setback requirements. Testimony indicated that the Kenridge Development was designed in 1941 with 50-foot wide lots. Further testimony indicated that there is no available land on either side of the subject property from which the Petitioners could obtain the additional land needed to meet the lot width requirement. Testimony indicated that the granting of the variance will not result in any detriment to the health, safety or general welfare of the surrounding community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Sec-

tion 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of June, 1989 that the Petition for Zoning Variance to permit a lot width of 50 feet in lieu of the required 55 feet for a proposed dwelling in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) Petitioners shall not request any future variance for the subject property.
- 3) Petitioners shall not allow or cause the proposed dwelling to be used as a two family dwelling unit. There shall be only one kitchen facility provided within the dwelling.

J. Robert Haines
Zoning Commissioner
for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333
J. Robert Haines
Zoning Commissioner

June 14, 1989



Dennis F. Rasmussen
County Executive

Mr. & Mrs. John Vachino
6617 Golden Ring Road
Baltimore, Maryland 21237

RE: PETITION FOR ZONING VARIANCE
S/S Golden Ring Road, 50' W of the R/W of Akron Road
(Lot 56 Golden Ring Road)
14th Election District - 6th Councilmanic District
Joseph Vachino, et ux - Petitioners
Case No. 89-499-A

Dear Mr. & Mrs. Vachino:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3393.

Very truly yours,

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: Mr. & Mrs. Charles Jones
1813 Cape May Road, Baltimore, Md. 21221

People's Counsel
File

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.2.1 To allow a lot width of 50 ft. in lieu of minimum 55 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Variance to permit a lot width of 50 feet in lieu of the required 55 feet.

EXISTING ADJACENT LOTS BUILT ON 50 LOTS
ALL LOTS RECORDED AS 50' LOTS IN ADDITIONAL LOTS
AVAILABLE

Property is to be posted and advertised as prescribed by Zoning Regulations.

Contract Purchasers
I, the undersigned, agree to pay expenses of above variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I do solemnly declare and affirm, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
Charles & Martina Jones (Type or Print Name)	Joseph Vachino (Type or Print Name)
Signature	Signature
1813 Cape May Road Address	6617 Golden Ring Road Address
Baltimore, Maryland 21221 City and State	Baltimore, Maryland 21237 City and State

Attorney for Petitioner:	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
(Type or Print Name)	Address
Signature	City and State
Address	Name
City and State	Address
Attorney's Telephone No.:	Phone No.

ORDERED BY The Zoning Commissioner of Baltimore County, this 14th day of June, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 9th day of June, 1989, at 9:30 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

March 17, 1989

Zoning Description

Beginning for the same on the southernmost side of Golden Ring Road, northwest 50 feet line of a parcel of land which by deed dated September 14, 1956 and recorded among the Land Records of Baltimore County in Liber CWS Jr. No 983 Folio 108 conveyed by Emma J. Kern to John Vachino and Frances Vachino his wife running thence binding on the southernmost side of Golden Ring Road northwest 50 feet running thence for line of division the three following courses and distances west 127-25/100 feet and south 50 feet to the southwest 127-6/10 foot line of said parcel of land which was conveyed by Emma J. Kern and John Vachino and wife running thence reversely binding on said line north east 127-6/10 feet to the place of beginning. Being known as Lot 56 in the subdivision of "Kenridge" in the 14th District of Baltimore County Maryland Plat Book 12 and Folio 92.

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance
Case number: 89-499-A
S/S Golden Ring Road, 50' W of Akron Road - Lot 56
14th Election District - 6th Councilmanic District
Legal Owner(s): Joseph Vachino, et ux
Contract Purchaser(s): Charles Jones, et ux
Hearing Date: Friday, June 9, 1989 at 9:30 a.m.

Variance to allow a lot width of 50 ft. in lieu of minimum 55 ft. in the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the appeal for good cause shown. Such request must be in writing and received in the office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
NJ5:252 May 18

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 22, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 15, 1989.

NORTHEAST TIMES

THE JEFFERSONIAN,

S. Zebe Olson
Publisher

PO 135276
reg M28979
ca 89-489-A
price \$ 7.12

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 14th Date of Posting: 5/23/89
Posted for: Vachino
Petitioner: Charles & Martina Jones
Location of property: S/S Golden Ring Rd., 50' W of Akron Rd.
Location of Sign: Same as above
Remarks: See map of property
Posted by: J. Robert Haines Date of return: 5/26/89
Number of Signs: 1

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333
J. Robert Haines
Zoning Commissioner

Date: 5/23/89



Dennis F. Rasmussen
County Executive

Mr. & Mrs. Charles Jones
1813 Cape May Road
Baltimore, Maryland 21221

Re: Petition for Zoning Variance
CASE NUMBER: 89-499-A
S/S Golden Ring Road, 50' W of Akron Road - Lot 56
14th Election District - 6th Councilmanic District
Legal Owner(s): Joseph Vachino, et ux
Contract Purchaser(s): Charles Jones, et ux
HEARING SCHEDULED: FRIDAY, JUNE 9, 1989 at 9:30 a.m.

Dear Mr. & Mrs. Jones:

Please be advised that \$54.12 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before the hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE	ACCOUNT	AMOUNT	RECEIVED FROM
5/23/89	1813 Cape May Road	\$ 54.12	Charles & Martina Jones

VALIDATION OR SIGNATURE OF CASHIER
WHITE CASHIER PINK AGENT YELLOW CUSTOMER

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333
J. Robert Haines
Zoning Commissioner

May 5, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-499-A
S/S Golden Ring Road, 50' W of Akron Road - Lot 56
14th Election District - 6th Councilmanic District
Legal Owner(s): Joseph Vachino, et ux
Contract Purchaser(s): Charles Jones, et ux
HEARING SCHEDULED: FRIDAY, JUNE 9, 1989 at 9:30 a.m.

Variance to allow a lot width of 50 ft. in lieu of minimum 55 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
Zoning Commissioner of Baltimore County
cc: Charles & Martina Jones
John & Frances Vachino
File

VICINITY MAP

GOLDEN RING ROAD (40 R/W)

AKRON ROAD (30 R/W)

LOT 56

EXISTING DWELL

PROPOSED DWELLING

EXISTING DWELL

PLAT FOR ZONING VARIANCE

"KEVRIDGE"
14th DIST BALTO CO MD
LOT 56, PLAT BOOK 12, FOLIO 92.
SCALE 1" = 30'
LOT SIZE: 6350 Sqft
15 DWELLS
ZONED DR-5.5
EXISTING UTILITIES IN GOLDEN RING RD

PETITIONER'S EXHIBIT 1

89-499-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
17th day of April, 1989.

J. Robert Haines
ZONING COMMISSIONER

Petitioner: John Vachino, et ux
Petitioner's Attorney: _____

Received by: **James E. Dyer**
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 31, 1989

Mr. & Mrs. John Vachino
6617 Golden Ring Road
Baltimore, MD 21237

RE: Item No. 402, Case No. 89-499-A
Petitioner: John Vachino, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Vachino:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of comments are not intended to indicate that all parties are the zoning action requested, but to assure that the development made aware of plans or problems with regard to the development Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 587-3391.

Very truly yours,
James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. Charles Jones
1813 Cape May Road
Baltimore, MD 21221

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3334

April 21, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 399, 400, 401, 402, 403, 404, 405, 406, 408, 409, 410, 411, 412 and 413.

Very truly yours,
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/lab

RECEIVED
APR 29 1989
ZONING OFFICE

Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

April 12, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Baltimore County
Charles Jones Property
Zoning Meeting of 4-11-89
S/S Golden Ring Road
(MD 588) 50' West of
Akron Road
(Item #402)

Dear Mr. Haines:

After reviewing the submittal for a variance to allow a lot width of 50' in lieu of the minimum 55', we find the plan acceptable with the following comment.

A State Highway Administration residential access permit must be applied for in order to construct an entrance onto Golden Ring Road. This permit must be applied for prior to issuance of building permits and can be obtained through the State Highway Administration Resident Maintenance Engineer's Office (Mr. Gary Ewers - 574-4511).

If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,
Gregory J. Mills, Jr.
Chief
Engineering Access Permits
Division

Lumaw

cc: Mr. J. Ogle
Mr. G. Ewers (w-attachment)

My telephone number is (301) 333-1350

383-7555 Baltimore Metro - 555-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Rencke
Chief

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: Charles Jones, et ux
Legal Owner: John Vachino, et ux
Location: S/S Golden Ring Road, 50' NW of W R/N of Akron Road

Item No.: 402 Zoning Agenda: 4/11/89

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1988 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: **CHT** 4-14-89 Noted and Approved: **Robert W. Bowling**
Planning Group Fire Prevention Bureau
Special Inspection Division

/s/

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: May 23, 1989

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for April 11, 1989

The Developers Engineering Division has reviewed the zoning items for the subject meeting and we have no comments for items 399, 400, 401, 402, 403, 404, 406, 408, 409, 410, 412, 413, 414, and 416.

Comments are attached for items 405 and 411.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

Encls.

MAY 2 - 1989

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

FROM: Robert W. Bowling, P.E.
Chief
Developers Engineering Division

RE: Zoning Advisory Committee Meeting
for April 11, 1989

Case No. 89-499-A
Item No. 402

Re: John Vachino, et ux

The Developers Engineering Division has reviewed the zoning items for the subject meeting and we have no comments for items 399, 400, 401, 402, 403, 404, 406, 408, 409, 410, 412, 413, 414, and 416.

Comments are attached for items 405 and 411.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

Encls.

MAY 2 - 1989